

*Brief on Appeal 09/995,097*

IN THE CLAIMS

1-4. (canceled)

5. (currently amended): For a user having a foot with a toe and standing on a skate, the skate including a position for the foot; a skate braking mechanism comprising:

a brake; and

a lifter operatively coupled to the brake and pressable upward by a ~~[[toe]]~~ foot motion consisting of an upward rotation of at least one phalanx bone of the toe relative to at least one metatarsal bone of the foot, while the user's foot is on the position, the toe motion acting to actuate the brake;

whereby the brake is actuated according to a motion of the toe, which is not contrary to a natural motion of the toe to maintain balance of the user.

6-27. (canceled)

28. (previously presented): The skate braking mechanism according to claim 5, wherein the skate includes at least one wheel and the brake comprises a brake shoe coupled to the lifter, and wherein the brake shoe bears on the wheel of the skate when actuated.

29. (previously presented): The skate braking mechanism according to claim 28, wherein the brake shoe is coupled to the lifter via a linkage.

30. (previously presented): The skate braking mechanism according to claim 28, wherein the brake shoe is directly coupled to the lifter.

31. (previously presented): The skate braking mechanism according to claim 28, wherein the brake shoe comprises fiber-reinforced elastomer.

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32. (previously presented): The skate braking mechanism according to claim 31, wherein the brake shoe comprises a portion of fiber-reinforced elastomer belt.

33. (previously presented): The skate braking mechanism according to claim 31, wherein the elastomer comprises urethane.

34. (previously presented): The skate braking mechanism according to claim 28, wherein the brake shoe comprises urethane.

35. (previously presented): The skate braking mechanism according to claim 5, comprising a return spring counteracting an upward pressing motion of the toe.

36. (previously presented): The skate braking mechanism according to claim 5, wherein the lifter is positioned above the toe forward of the metatarsals of the foot of the user.

37. (previously presented): The skate braking mechanism according to claim 5, wherein the lifter is pivoted to be moved upward by the toe.

38. (previously presented): The skate braking mechanism according to claim 37, wherein the lifter is pivoted about a pivot axis adjacent to a joint between the metatarsal bone and the phalanx bone.

39. (previously presented): The skate braking mechanism according to claim 5, wherein the skate includes wheels and the brake comprises a brake shoe that is pivoted to rotate about an axle of a first wheel, so as to bear against a second wheel.

40. (previously presented): The skate braking mechanism according to claim 5, comprising the skate.